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FISCAL IMPACT REPORT

SPONSOR Stapleton ORIGINAL DATE 2/10/15 HB 176
LAST UPDATED

SHORT TITLE Limit School Assessments SB _____

ANALYST Chavez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

Relates to House Bill 15

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

SUMMARY

Synopsis of Bill

House Bill 176 provides that an assessment that is not mandated pursuant to federal accountability standards or a waiver to federal accountability standards shall be administered in a public school only if the assessment is approved by a local school board or a governing body of a charter school.

FISCAL IMPLICATIONS

There is no fiscal impact associated with this bill.

SIGNIFICANT ISSUES

This bill removes PED's power to determine assessments under the Public School Code. These include assessments required currently by state law in addition to federal requirements, as well as assessments required by PED for the administration of recurring initiatives implemented by the department. This includes, for example, the "Reads to Lead" initiative, which requires districts to administer short-cycle DIBELS assessments for districts participating in the program. Additionally, other requirements set by the department, such as assessments required for

graduation, could also be affected by this bill by allowing school districts and charter schools to determine their own assessment requirements above those required by federal law but not those assessments currently determined by state law.

Federal law requires that students take annual reading and math tests in grades three through eight and one time in grades 10 through 12. Students must take annual science tests one time each in grades three through five, six through nine, and 10 through 12.

New Mexico state law requires the following additional tests not required under Federal requirements:

- Statewide assessment and accountability system (Section 22-2C-4 NMSA 1978):
 - (1) for grades three through eight, a standards-based writing assessment with the writing assessment scoring criteria applied to the extended response writing portions of the language arts standards-based assessments.
- Statewide college and workplace readiness assessment system (Section 22-2C-4.1 NMSA 1978):
 - (1) in grade nine, a short-cycle diagnostic assessment in reading, language arts and mathematics to be locally administered in the fall and at least two additional times during the year;
 - (2) in grade ten, a short-cycle diagnostic assessment in reading, language arts and mathematics that also serves as an early indicator of college readiness, to be locally administered at least three times during the year; and
 - (3) in grade eleven, in the fall, one or more of the following chosen by the student:
 - (a) a college placement assessment;
 - (b) a workforce readiness assessment; or
 - (c) an alternative demonstration of competency using standards-based indicators.
- End-of-course exams pursuant to Section 22-8B-11 NMSA 1978.

Under HB 176, the above assessments would be optional for school districts and charter schools. (See the attached document for all assessments required in New Mexico.) Districts opting out of these assessments could affect school grades, teacher evaluations, and graduation rates; however, PED analysis did not discuss what the affect that districts opting out of testing may have on the department.

PED analysis looks at teachers who may be affected by this bill. The agency notes that effective instruction requires the ability to determine the level of student proficiency of the content and skills being taught in the classroom, and teachers regularly use assessments to determine student mastery of content and skills, and to provide students with effective, individualized instruction. In the classroom, teachers use four types of assessments: formative, short-cycle, interim, and summative assessments:

- Formative Assessments are typically informal “checks” administered frequently by teachers to monitor student progress and adjust teaching to help students learn.
- Short-Cycle Assessments are periodic (daily, weekly, bi-weekly, and/or monthly) assessments such as DIBELS, reading checks, learning logs, exit slips, quizzes, etc. that provide regular feedback to teachers. Results of short-cycle assessments help teachers ensure that students are learning and provide concrete feedback to help students improve

their understanding and apply their knowledge.

- Interim Assessments are administered three times at the beginning, middle, and end of the school year. These tools measure student progress throughout the course of the year and are frequently used to identify if instructional supports are effective. Interim assessments are also used to identify students for special education services.
- Summative Assessments are formal assessments administered at the end of a unit, course, or year to determine a student's proficiency of the standards at each grade level. Summative assessments identify student mastery of content and are useful for grade and course placement.

PED asserts that HB 176 removes the ability of teachers to use these important assessments in the classroom, eliminating teachers' ability to provide individualized instruction to students. It also disallows administration of assessments that are useful at the school level for placement of students in grade levels, courses, and special education services.

RELATIONSHIP

House Bill 15 limits the number of days that can be spent on testing. Senate Bill 217 and House Bill 129 (duplicates), allow for a parent to sign a waiver for school testing without the waiver affecting a student's or a school's grade or other factors.

TECHNICAL ISSUES

PED notes this bill is in conflict with NMSA 22.13.1.1 Graduation Requirements, which mandates the administration of final exams in all classes offered for credit.

POSSIBLE QUESTIONS

What would the impact be for school districts and charter schools that choose not to provide assessments above those required in federal law?

How does PED currently use data collected from these assessments, and how would the department be affected by school districts and charter schools opting out of these assessments?

KC/je/aml/je

New Mexico Statewide Assessment Program: Required Assessments

Over the last 4 years, the Public Education Department, in collaboration with districts, has worked to reduce overall testing time for New Mexico students while still maintaining best instructional practices and providing actionable data to educators and parents to better support our students as they prepare for success in college & career.

GRADE LEVEL	ASSESSMENT CONTENT AREA(S)	ASSESSMENT NAME	YEAR PASSED	PRIOR ESTIMATED TESTING TIME 2010	ESTIMATED TESTING TIME 2015	DIFFERENCE 2010 TO 2015
K-1	Reading	Interim Assessment (DIBELS) (screening and monitoring)	2009	3-6 minutes (3 times/year)	3-6 minutes (3 times/year)	Same
2	Reading	Interim Assessment (DIBELS) (diagnostic assessment)	2009	6-10 minutes (3 times/year)	6-10 minutes (3 times/year)	Same
3	Reading, math, writing	Accountability Assessment (PARCC)	2003	10 hours 40 minutes	6 hours 25 minutes	1 hour 20 minute decrease
4	Reading, math, science; writing added 2015	Accountability Assessment (SBA/PARCC)	2003	10 hours 40 minutes	9 hours 45 minutes	2 hour 20 minute decrease
5	Reading, math, writing	Accountability Assessment (PARCC)	2003	10 hours 40 minutes	6 hours 45 minutes	3 hour 55 minute decrease
6	Reading, math; writing added 2015	Accountability Assessment (PARCC)	2003	10 hours 40 minutes	7 hours 25 minutes	3 hour 15 minute decrease
7	Reading, math, science; writing added 2015	Accountability Assessment (SBA/PARCC)	2003	10 hours 40 minutes	10 hours 25 minutes	15 minute decrease
8	Reading, math, writing	Accountability Assessment (PARCC)	2003	10 hours 40 minutes	7 hours 25 minutes	3 hour 15 minute decrease
9 and 10	Reading, writing, math	Interim Assessments (short-cycle assessments)	2007	30-90 minutes (3 times/year)	30-90 minutes (3 times/year)	Same
9*	Reading, math, writing	Accountability Assessment (PARCC)	2011	None	7 hours 30 minutes	7 hour 30 minute increase
10*	Reading, math; writing added 2015	Accountability Assessment (PARCC)	2011	None	7 hours 30 minutes	7 hour 30 minute increase
11**	Reading, math, science; writing added 2015	Accountability Assessment (SBA/PARCC)	2003	13 hours 40 min	10 hours 30 minutes	3 hour 10 minute decrease
Throughout High School	All courses for high school credit***	EoC/Final Exam	1986	90 minutes per course (district determined)	90 minutes per course (district determined)	Same

Notes:

- For students with severe cognitive disabilities, the National Center and State Collaborative (NCSC) assessments and the New Mexico Alternate Performance Assessments (NMAPA) are available. If a student takes the NCSC/NMAPA, they *do not take* PARCC or the SBA. Estimated testing time is up to five hours per student.
 - The ACCESS assessment is available to measure whether an English language learner has become proficient in English. Estimated testing time is up to 3.5 hours per student.
- *NMSA 22-2E-1 required student growth to be included as part of the A–F school grading system. PARCC is now given to students in grades 9–10 to ensure compliance with the statute.
- **The high school PARCC and SBA serve dual purposes, as they also act as the high school graduation assessments. The accountability assessments were authorized in 2003; graduation requirements were authorized in 2008.
- ***Some districts were not in compliance with the requirement in NMSA 22-13-1.1.K to give one final exam in each course taken for credit prior to the school year 2013–2014. One EoC/Final Exam in social studies is used for students to meet graduation requirements passed in 2008.

KEY:

ACCESS—Assessing Comprehension and Communication in English State-to-State

EoC—End of Course Exam/Final Exam

PARCC—Partnership for Assessment of Readiness for College and Careers (Note: PARCC will be implemented for the first time in 2014-2015 in math and reading and replaces the SBA in those subject areas)

PBA—Performance Based Assessment

SBA—Standards Based Assessment

The assessments outlined below may be in place in individual districts and charter schools if a district or charter school has chosen to include them in their NMTEACH evaluation plan.

GRADE LEVEL	ASSESSMENT CONTENT AREAS	ASSESSMENT NAME	YEAR PASSED	ESTIMATED TESTING TIME (2014)	ESTIMATED TESTING TIME (2015)	DIFFERENCE 2014 TO 2015
4-5	Physical education, visual arts, music	PBA	2013	45 minutes-1 hour (1 class period)	45 minutes-1 hour (1 class period)	Same
6-8	Physical education, visual arts, music	PBA	2013	45 minutes-1 hour (1 class period)	45 minutes-1 hour (1 class period)	Same
6-8	Language arts, math, science, other electives	PBA	2013	45 minutes-1 hour (1 class period)	45 minutes-1 hour (1 class period)	1 class period increase

Assessment Information and Best Practices

Interim Assessments

Questions to ask regarding interim assessments:

- 1) Are interim assessments required by the state or the district?
- 2) How many interim assessments are given per subject, per grade?
- 3) If more than one per subject/grade is given, why?

Interim Assessment Best Practices:

- Provide no more than one interim assessment per subject, per grade.
- An interim assessment is typically administered three times per year—beginning, middle, and end. The goal of these tools is to measure the progress a student is making over the course of the year.
- The data provided by the interim assessments can be used to determine interventions to support struggling students and better ensure their success. Short-cycles assessments may be administered between the yearly benchmark assessments (beginning, middle and end of year) to determine if interventions have been successful.

End of Course (EoC)/Final Exams

Questions to ask regarding End of Course (EoC)/final exams:

- 1) Are students taking more than one EoC/final exam per class?
- 2) If more than one type of EoC/final exam is given, why?
- 3) Were high school students already taking an EoC /final exam in each of their classes before the current school year?
- 4) If not, why not? It has been required by law since 1986.

EoC/Final Exam Best Practices:

- Provide no more than one EoC/final exam per class.
- An EoC/final exam should be administered in the last three weeks of the course.
- To increase consistency in expectations of students, common classes across a district (Example: Algebra I) should administer the same EoC/final exam.